

Congressman Sestak Votes to Override President Bush's Veto of Intelligence Authorization Act
WASHINGTON, DC —

— Today, Congressman Joe Sestak (D-PA) voted to override the President's veto on the Intelligence Authorization Act, H.R. 2082.

"Our foremost duty is to provide for our citizens' security," said Congressman Sestak. "The President's veto of the Intelligence Authorization Act recklessly denies the U.S. intelligence community the continued resources it needs to combat terrorism and shield us from threats at home and abroad during a time of war. Additionally, by vetoing the 2008 Intelligence Authorization Act because it extends the Army Field Manual's ban of grotesque and illegal, inhumane torture practices--such as waterboarding--our President has failed to provide America with the moral and ethical leadership needed to strengthen our national security and improve our diplomatic relations around the world. I join my colleagues today in fighting the President's veto of this bill in order to guarantee that our intelligence agencies can function quickly and effectively as they work to keep us safe."

On December 13, 2007, Congressman Joe Sestak (D-PA) voted for passage of the Intelligence Authorization Act for Fiscal Year 2008, H.R. 2082, a piece of legislation authorizing classified funding amounts for 16 U.S. intelligence agencies, including the CIA, the National Security Agency, intelligence activities of the Defense Department, the FBI, the Homeland Security Department, and other agencies. Last week, President Bush vetoed the legislation, returning the bill to the House floor for an override vote.

"Having worn the cloth of our nation for over 31 years, I believe we must ensure that our men and women serving in harm's way would be humanely treated if they were captured during a military operation. Numerous military leaders have refused to condone acts of torture because there is no evidence that such mechanisms are effective for intelligence gathering; in fact, torture is counterproductive on all fronts: it produces bad intelligence and it damages our credibility around the world. Overriding this veto would be a first step in restoring our moral leadership in the world while protecting our troops in future conflict," said Congressman Sestak.

In December 2007, 30 retired military leaders wrote in a letter pointed out that harsh interrogation techniques may endanger our men and women in uniform.

The military leaders wrote in their letter that "we believe it is vital to the safety of our men and women in uniform that the United States does not sanction the use of interrogation methods it would find unacceptable if inflicted by the enemy against captured Americans. ... The current situation, in which the military operates under one set of interrogation rules that are public and the CIA operates under a separate, secret set of rules, is unwise and impractical ... What sets us apart from our enemies in this fight is how we behave. In everything we do, we must observe the standards and values that dictate that we treat noncombatants and detainees with dignity and respect."

Many retired military leaders have also pointed out that waterboarding is clearly torture and illegal.

For instance, Retired Admiral Donald Guter, Judge Advocate General, wrote in a November 2007 letter, "Waterboarding is inhumane, it is torture, and it is illegal... This is a critically important issue – but it is not, and never has been, a complex issue, and even to suggest otherwise does a terrible disservice to this nation. ...Waterboarding detainees amounts to illegal torture in all circumstances. To suggest otherwise – or even to give credence to such a suggestion – represents both an affront to the law and to the core values of our nation."

Though exact amounts are classified, the Intelligence Authorization Act reportedly allocates an estimated \$48 billion in funds, a 4% increase and the highest level of funding ever for U.S. intelligence agencies, providing for expanded and new measures designed to bolster intelligence gathering efforts, activities and operations.

In addition to allocating resources to counterterrorism operations in Afghanistan and Iraq, H.R. 2082 more specifically calls for:

- Reporting on nuclear activities in Iran and North Korea

The development by Iran and North Korea of nuclear weapons and the missiles capable of delivering them are among the most significant potential threats to the United States.

Consequently, a regular and structured reporting requirement will help ensure that policymakers are receiving the intelligence needed to thoroughly understand the threats emanating from Iran and North Korea. The bill requires the DNI to report to Congress every 90 days on the current intentions and capabilities of Iran and North Korea with regard to their nuclear programs.

- Protecting the role of the Foreign Intelligence Surveillance Act (FISA)

The administration has proposed sweeping changes to the Foreign Intelligence Surveillance Act (FISA). It is essential that FISA's original purpose be maintained, i.e., to keep national-security-related surveillance tightly focused on those who seek to harm American people, while still guaranteeing the Fourth Amendment rights and civil liberties of our citizens.

- Investing in better intelligence operations and activities

H.R. 2082 adds funding for Advanced Research and Development to help the intelligence community maintain its technical edge, as well as grants increased funding for efforts to capture or kill Osama bin Laden and his al Qaeda leadership, and for operations targeted at the Taliban and other terrorist organizations.

- Extending necessary prohibitions against torture

The U.S. Army Field Manual gives clear guidelines on what interrogation techniques are allowed, and what are not allowed, by the military – these guidelines should be extended to our intelligence agencies. The Manual specifically authorizes 19 interrogation techniques and specifically prohibits 8 techniques – including waterboarding, forced nudity, denial of food and water, and beatings. The reason to use the Army Field Manual is because it works. General David Petraeus has recently written that the Army Field Manual works “effectively” in getting information.

- Providing for better intelligence oversight and accountability

H.R. 2082 creates the following measures to ensure better oversight within the intelligence community: 1) grants an Inspector General the authority to inspect, audit and investigate activities across the intelligence community; 2) requires Senate confirmation for Directors of the National Security Agency and the National Reconnaissance Office; 3) requires the CIA Inspector General to conduct an audit of covert action programs no less than once every three years; 4) requires the Administration to provide the intelligence committees with a full list of all special access programs; and 5) reduces excessive funding for contractors and requires the DNI to issue an annual report on instances of contractors committing waste, fraud and abuse, failing to perform on a contract, or violating the law.

- Providing for better intelligence agency management practice

H.R. 2082 authorizes the Director of National Intelligence to fund information-sharing initiatives across the federal government, conduct regular accountability reviews, adjust compensation for critical positions, and delegates proper authorities protecting sources and methods to the Chief Information Officer.

- Ensuring independent evaluation of detainee treatment

Though classified, the amounts authorized reportedly total \$48 billion, including \$738 million for the account supporting the Director of National Intelligence (DNI) office. The bill urges the DNI to negotiate with the International Red Cross on terms and conditions for access by that agency to detainees in order to check on the condition and treatment of such detainees.

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in

Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.}